IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928

WP(C).No. 3737 of 2007(T)

PETITIONER:

K.JOHN DOMINIC, AGED 72 YEARS,
S/0.DOMINIC, KARIPPAPARAMBIL HOUSE,
KUNNUBHAGAM, KANJIRAPPALLY,
KOTTAYAM.

BY ADV. SRI.M.J.THOMAS

RESPONDENTS:

---

1. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), KANJIRAPPALLY, KOTTAYAM

2. SPECIAL SALE OFFICER, KANJIRAPPALLY SERVICE CO-OPERATIVE BANK LTD., KANJIRAPPALLY, KOTTAYAM

3. KANJIRAPPALLY SERVICE CO-OPERATIVE BANK LTD., KANJIRAPPALLY, KOTTAYAM, REPRESENTED BY ITS SECRETARY

BY SENIOR GOVERNMENT PLEADER, SRI P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M.JAMES, J.

- -

W.P.(C) No. 3737 of 2007 (T)

- - - - - - - - - - - - - - - - - - - -

Dated this the 2nd day of February, 2007

J U D G M E N T

The writ petitioner, being a defaulter to a loan, had been proceeded against by the third respondent, Service Co-operative Bank at Kanjirappally. Basing on the award dated 28/09/1998 in A.R.C No.4191/1998, of the Arbitrator, steps are being taken by the second respondent to bring the property of the writ petitioner to public auction and sale. Hence, this writ petition.

2. I heard the arguments advanced by the learned counsel for the writ petitioner. The only prayer now raised is that the writ petitioner may be extended the benefits of an one time settlement scheme available, so that he could clear off the debts due to the third respondent.

3. In the above facts situation, I direct the writ petitioner to file a fresh representation before the third respondent bank, within ten days from today. On receipt of the said representation, the third respondent shall, hear the writ

petitioner and dispose of the same, according to Circular No.59/2006 dated 30/11/2006, extending all the benefits and facilities contained in the said Circular. This shall be done within three weeks from the date of filing of the representation. All the conditions and stipulations contained in the circular shall be followed by either side.

This writ petition is disposed of as above.

(J.M.JAMES)
Judge

ms